

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date indicated below with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: May 13, 2004

Signature of Person Certifying: \_ Printed Name: Carolyn Tobias

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	Group Art Unit: Not Yet Assigned
Hassan Mostafavi	Examiner: Not Yet assigned
Serial No.: 10/655,920	) )
Filed: September 5, 2003	)
For: SYSTEMS AND METHODS FOR GATING MEDICAL PROCEDURES	) ) )

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form(s) PTO/SB/08a and PTO/SB/08b. Copies of the items listed are enclosed herewith.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicants is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicants as such.

## Information Disclosure Statement Filing Provision:

$\boxtimes$	This II	S is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is
		e months of the filing date of the application, which is not a continued prosecution
Y Y		d under § 1.53(d) or (2) within three months of entry of the national stage as set forth in
	_	1; or (3) before the mailing of a first Office action on the merits; or (4) before the
_	•	st Office action after filing a request for continued examination under § 1.114. Thus, no
fee is re	equired.	
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below.
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
		OS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 1.
		The fee due under 37 CFR § 1.17(p) is submitted herewith.
		A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
•	or a No	OS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR otice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A or 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted
□ § 1.113		OS is being submitted under 37 CFR § 1.97(i), that is after a Final Action under 37 CFR otice of Allowance under 37 CFR § 1.311, but before payment of the issue fee.

STATEMENT UNDER 37 CFR § 1.97(e):						
Each item contained in this IDS was first cited in a communication from a foreign patent office						
in a counterpart foreign application not more than three months prior to the filing of this IDS.						
No item contained in this IDS was cited in a communication from a foreign patent office in a						
counterpart foreign application, and, to the knowledge of the person signing this statement after						
making reasonable inquiry, no item of information contained in this IDS was known to any individual						
designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.						
PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:						
A check in the amount of is enclosed for the above fee(s).						
The Commissioner is authorized to charge the fee due under 37 CFR § 1.17(p) to the Bingham						
McCutchen's Deposit Account No. 50-2518, referencing billing number VM7031422001. The						
Commissioner is authorized to credit any overpayment or to charge any underpayment to Bingham						
McCutchen's Deposit Account No. 50-2518, referencing billing number VM7031422001.						
Respectfully submitted,						

Dated: May 13, 2004

3y: <u>\_</u>

Gerald Chan Reg. No. 51,541

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Approved for use through 10/31/2002. OMB 0651-0031

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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	Complete if Known	
Application Number	10/655,920	
Filing Date	September 5, 2003	
First Named Inventor	Hassan Mostafavi	
Group Art Unit	Not Yet Assigned	
Examiner Name	Not Yet Assigned	
Attorney Docket Number	2018721-7031422001	

			U.S. PATENT DOCUM	MENTS	
Examiner Initials *	Cite. No.1	U.S. Patent Document  Number Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines; Where Relevan Passages or Relevant Figures Appear
	AA	5,446,548	Gerig et al.	08/29/95	
	AB	6,333,991	Schreiber et al.	12/25/01	
	AC	6,473,634	Barni	10/29/02	
•	AD	6,535,574	Collins, et al.	03/18/03	
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	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee	Date of Publication of	Pages, Columns, Lines, Where Relevant	
		Office <sup>3</sup>	Number⁴	Kind Code <sup>5</sup> ( <i>if known</i> )	or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T <sub>6</sub>
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Examiner Signature	Date Considered	

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark hee if English language Translation is attached.